

**REGULAR SESSION    RUSH COUNTY BOARD OF COMMISSIONERS    DECEMBER 19, 2011**

The Rush County Board of Commissioners met in regular session, Monday, December 19, 2011 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, Auditor, and Leigh Morning, County Attorney in attendance.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the December 5, 2011 meeting as presented. Marvin Cole seconded the motion. Motion carried.

**AREA PLAN**

Bill Todd, Area Plan Director, appeared before the commissioners asking them to approve the contract for APC attorney Gilda Caviness. The contract is for the year 2012 and is in the amount of \$4,800.00

Tom Barnes revisited the conversations held from the December 5, 2011 commissioner meeting regarding various contracts. Todd informed the commissioners that Gilda Caviness contract had nothing to do with the contracts discussed during the December 5, 2011 meeting.

Todd was informed that a letter is circulating collecting signatures regarding David Rogier as consultant to the Area Plan Commission since 1972. Barnes stated that the expenditures needed looked into.

Following further conversation, Todd informed the commissioners that under Area Plan code he has a right to ask for an assistant to do his job. Todd continued to state that the money has been appropriated and approved in his budget by the county council.

Barnes stated that it was time to have the board restructured.

Todd did question John Saxon of Homer who was in the audience if he did attend the December 13, 2011 meeting regarding the discussion of the chicken ordinance. Saxon did confirm that he did attend the meeting.

Barnes informed Todd that he would go along with the approving of APC attorney Gilda Caviness contract for 2012. Barnes stated that David Rogier would be addressed when the board provides recommendations to reduce their expenditures. Barnes also stated that he would appear and speak before their board.

Ken Masters made the motion to approve the 2012 contract for APC attorney Gilda Caviness. Marvin Cole seconded the motion. Motion carried.

Ken Masters made the motion to approve the 2012 agreement between Rush County and David Rogier. Marvin Cole stated that the plan was to look into the matter and he saw no need to pass it now. The motion did not receive a second and died.

Bill Todd informed the commissioners that the Area Plan will hold their next meeting Tuesday, January 24, 2012 at 7:30 pm in the Assembly room.

Tom Barnes asked Auditor Deborah Adams to read out loud a letter received and dated December 19, 2011. Barnes let it be known that the reading of the letter was not an endorsement and that the letter would be filed. The letter is addressed to the Rush County Commissioners; Rush County Area Plan Commission and the Rush County Board of Zoning Appeals. The letter is issued and signed by John Saxon along with three other individuals. The letter was concerning the services of David Rogier.

### **EMA**

Chuck Kemker, EMA Director, reported that the courthouse procedures have been passed out to all courthouse employees.

Kemker stated that the basement needs to be unlocked in the event of a Tornado warning. The auditor holds the key to the basement and will be responsible for unlocking the basement door for any employee wishing to take safety there.

Kemker reported that he has requested a CPR/Defibrillator training for the courthouse employees.

Twelve (12) areas have been identified for new panic alarms. Two (2) of these areas are new zones.

Ken Masters made the motion to allow Sheriff Deputy David Sliger to use the courthouse Thursday, February 16, 2012 at 4:30 pm to conduct active shooter training. Marvin Cole seconded the motion. Motion carried.

### **CEDARBRIDGE TREATMENT CENTERS**

Circuit Court Judge David Northam, Chief Probation officer Mark Fields and Scott Barlag of Cedarbridge Treatment Center appeared before the commissioners. Mark Fields reported that both he and Catherine Custer have toured the Youth Treatment Center located in Muncie, Indiana. Cedarbridge is requiring a payment of \$16,020.00 in advance for bed usage at the Treatment Center. The cost is \$89.00 per 180 bed usage days.

Fields stated that Rush County formerly contracted with Henry County Youth Center 180 days and used 365 days.

Marvin Cole made the motion to approve and sign the contract agreement between Rush County and Cedarbridge Treatment Centers, LLC. Ken Masters seconded the motion. Motion carried.

### **COUNTY FARM RENT CONTRACT**

The two (2) year renting of approximately one hundred seventy (170) acres of county farm was conducted at public auction by the commissioners at 9:30 am.

Bidding was Joe Niedenthal; Roger Cain; Justin Orme; A & H Corp.; and Doug Kinder.

Tom Barnes began the bidding at the current rent price of \$267.50 per acre. The final bid in the amount of \$335.00 per acre was received from Doug Kinder for the 170 acres.

### **HIGHWAY**

Jerry Sitton, Highway Superintendent, brought in all bids that had previously been opened during the December 5, 2011 commissioner meeting. Auditor Deborah Adams stated that a SAND and GRAVEL bid had been delivered to the auditor's office at 8:16 am and was not placed with the other bids. Adams continued to report that she later noticed the bid elsewhere on her desk once she returned to her office following the commissioners meeting. She immediately contacted the county attorney. Sitton did contact Caldwell Gravel who had been awarded the bid of the error.

Leigh Morning instructed the commissioners to rescind the Caldwell Gravel motion. Ken Masters made the motion to rescind the Caldwell Gravel bid motion of December 5, 2011 Marvin Cole seconded the motion. Motion carried.

Leigh Morning opened the bid received prepared by Shelby Material. Marvin Cole made the motion to accept all bids. Ken Masters seconded the motion. Motion carried.

Sitton clarified that after reviewing the PIPE bids Indiana Drainage Solutions did have aluminized pipe. The commissioners reviewed all bids presented and St. Regis Culvert was the low bidder. Ken Masters made the motion to accept the bid submitted by St. Regis Culvert. Marvin Cole seconded the motion. Motion carried.

### **E.C.D.C.**

Jim Finan, Rush County Economic Development Executive Director, reported that a meeting will be held with the Redevelopment Commission, the new City administration, and Butler Fairman on Wednesday December 21, 2011.

### **SHERIFF**

Jeff Sherwood, Sheriff, reported twenty-seven (27) inmates incarcerated in the Rush County Jail.

Sherwood thanked the commissioners for their cooperation of the generator for the jail.

### **GENERATOR**

Jeff Sherwood noted that during the last jail inspection the county was sited that the current generator would not meet the jail needs.

The Health department had a few years ago purchased with a grant a generator from Rush Memorial Hospital. This generator will meet the jail needs.

Verlin Custer of Custer Electric had prepared and presented to the commissioners a quote for removing the existing generator from the jail and installing the RMH generator purchased by the Health Department. This quote is \$19,810.00. The quote for the installation of the current generator to be removed from the jail and installed into the courthouse is \$10,440.00.

The total of both projects for the moving and installation of generators to the jail and the courthouse is \$30,250.00. Verlin Custer was present to answer questions as presented. Ken Masters made the motion to sign the quote proposal presented. Marvin Cole seconded the motion. Motion carried. Custer noted that two bushes will need to be removed at the courthouse and fence color will need addressed.

The generator placement will not begin until after the Christmas holidays.

### **HIGHWAY**

Jerry Sitton, Highway Superintendent, received approval for IC form #639, Contract #B31851 on bridges 158 and 159 located on county road 365 east. Sitton reported that the Federal projects were completed September 26, 2011. Ken Masters made the motion to sign the documents on the completed projects. Marvin Cole seconded the motion. Motion carried.

At 9:45 Bids were opened on three (3) pick-up trucks for the highway department. Bids were submitted by:

- Bradley Chevrolet - Franklin
- Inskip Ford - Greenfield
- Dellen Automotive – Greenfield
- Hubler Chevrolet – Indianapolis
- Sandman Brothers – Shelbyville

Dellen Automotive out of Greenfield had the low bid of \$65,194.00 after trade. Sitton

recommended accepting the bid of Dellen Automotive. Ken Masters made the motion to accept the bid submitted by Dellen Automotive. Marvin Cole seconded the motion. Motion carried.

## **AUDITOR**

Deborah Adams, Auditor, received approval of payroll for the pay period ending December 23, 2011 on a motion by Marvin Cole. Ken Masters seconded the motion. Motion carried.

Bi-Weekly claims submitted December 13, 2011 were approved on a motion by Ken Masters. Marvin Cole seconded the motion. Motion carried.

Surety Bonds for the 2012 calendar year were approved for:

- Sheriff Jeff Sherwood, on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- Investigator James Meyers, on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- Auditor Deborah Adams, on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- Highway Superintendent Jerry Sitton, on a motion by Ken Masters. Marvin Cole seconded. Motion carried.
- Assessor Mary Ann Bridges, on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- Treasurer Mary Ann Beard, on a motion by Ken Masters. Marvin Cole seconded. Motion carried.

## **2012 APPOINTMENTS**

- **Alcoholic Beverage Board**      Dewey Grocox – on a motion by Marvin Cole. Ken Masters seconded. Motion carried
- **Area Plan Commission**      Marvin Cole – on a motion by Ken Masters. Tom Barnes seconded. Motion carried
- **County Attorney**      Morning Law Office – on a motion by Ken Masters. Tom Barnes seconded. Motion carried.
- **Custodial Service**      Gilliam Janitorial – on a motion by Ken Masters. Marvin Cole seconded. Motion carried.
- **E-911 Board**      Ron Jarman – on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- **Eastern Indiana Regional Wage Board**      Mike Pavey – on a motion by Ken Masters. Marvin Cole seconded. Motion carried.
- **Economic Development Commission**      APC Director – on a motion by Marvin Cole. Ken Masters seconded. Motion Carried.

- **Employee Health Insurance Committee**    Tom Barnes – on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- **Fiber Board**    Tom Barnes – on a motion by Ken Masters. Marvin Cole seconded. Motion carried.
- **Health Officer**    Dr. Dorothy Boersma – on a motion by Ken Masters. Marvin Cole seconded. Motion carried.
- **Hospital Board**    Linda Levi – on a motion by Ken Masters. Marvin Cole seconded. Motion carried.
- **Highway Superintendent**    Jerry Sitton – on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- **Homeland Security Coordinator**    Chuck Kemker – on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- **I.C.A.P.**    Ken Masters – on a motion by Tom Barnes. Marvin Cole seconded. Motion carried.
- **Veterans Service Officer**    Steve Land – on a motion by Marvin Cole. Ken Masters seconded. Motion carried.
- **Library Board**    Address in July
- **Health Board**    Address in January
- **Board of Review**    Address at a later date

### **A.D.A. TRANSITION PLAN**

Leigh Morning informed the commissioners that while attending a recent workshop the Federal Government is requiring each county to prepare an ADA Transition Plan. The initial is required to be prepared by December 31, 2012 or counties will lose future road and street funding. The plan is to address how buildings and sidewalk crossings will be ADA compliant.

Morning stated that this will affect road and street projects, county sidewalks and county buildings. The county ADA Transition Plan does not need to include incorporated areas. INDOT is the state agency that will be monitoring the progress of the plan due issuing federal funding for road and street projects.

Morning stated that the commissioners need to appoint an ADA Compliance officer to begin the project. It would be most beneficial to find a person with knowledge of ADA standards.

### **FEMA FLOOD MAPS**

John Saxon had questions regarding the FEMA Flood Control Maps. Saxon asked what body of government must adopt the maps prior to becoming valid. Tom Barnes answered that the buck stops here.

Leigh Morning informed Saxon that the commissioners do not adopt the maps. Jerry Sitton informed Saxon that FEMA adopts or approves the maps, but DNR holds the hearings. The commissioners have a time frame to adopt the maps. Saxon asked what would happen if the commissioners did not adopt within the time frame? The response was that they did not know what FEMA would do if the deadline passed without adoption of the flood maps.

**MISC.**

- Reviewed the Treasurers monthly report for November
- John Saxon again, brought up the topic of recording the commissioner minutes and posting on the county website. Tom Barnes answered that it was covered during the last meeting and had nothing more to add
- John Saxon, again, questioned the commissioners as to rescheduling meeting times. Tom Barnes responded that it was not something that the commissioners choose to do.

Motion to adjourn was received from Ken Masters. Marvin Cole seconded the motion. Motion carried.

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Tom Barnes, Chairman

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Marvin Cole

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Ken Masters

ATTEST:

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Deborah C. Adams, Auditor